

AMENDED IN ASSEMBLY MAY 14, 2003

AMENDED IN ASSEMBLY MAY 1, 2003

AMENDED IN ASSEMBLY APRIL 21, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

## ASSEMBLY BILL

**No. 466**

**Introduced by Assembly Member Steinberg**  
(Principal coauthor: Senator Sher)

February 14, 2003

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An act to add Section 6105 to the Public Contract Code, relating to public contracts.

### LEGISLATIVE COUNSEL'S DIGEST

AB 466, as amended, Steinberg. Contracting preferences: wood materials and products.

Existing law governing contracting by public entities recognizes various preferences, including preferences granted to local contractors, small businesses, and suppliers of recycled and compost products.

This bill would prohibit state agencies and school districts from purchasing wood materials or wood products, *except paper products*, derived from an ancient ~~forest~~*tree forest tree*, as defined, unless specified requirements are met. This bill would specify that these prohibitions apply only to contracts that exceed \$5,000 in cost. This bill would also require state agencies and school districts to state in writing these prohibitions in any request for bids to purchase wood materials or wood products. This bill would require bidders on these contracts to provide a statement that they have complied with these prohibitions, as provided, and require these bidders to submit documentation regarding

the products to be provided under the contract, as specified. This bill would also prohibit a contractor or vendor that falsifies these statements or documents from conducting any business with the state for 5 years, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 6105 is added to the Public Contract  
2 Code, to read:

3 6105. (a) Notwithstanding any other provision of law, a state  
4 agency or a school district may not purchase wood materials or  
5 wood products derived from, or manufactured from, an ancient  
6 forest tree, unless either of the following conditions exist:

7 (1) The wood material or wood product is a reclaimed wood  
8 product.

9 (2) The cost of the wood material or wood product derived or  
10 manufactured from an ancient forest tree is less than the cost of the  
11 wood material or wood product derived from a tree that is not an  
12 ancient forest tree.

13 (b) For purposes of this section:

14 (1) “Ancient forest tree” means a tree from a mature, late seral  
15 stand of trees that has never been commercially logged.

16 (2) “Reclaimed wood” means wood salvaged from old  
17 buildings, discarded pallets, or other post-consumer sources that  
18 is suitable for reuse.

19 (c) This section applies to procurement and purchases of  
20 products that include all of the following:

21 (1) Wood construction materials, including, but not limited to,  
22 lumber, plywood, framing, siding, beams, joists, underlayment,  
23 flooring, paneling, veneer, trim, molding, doors, windows, stair  
24 parts, fencing, and decking.

25 (2) Wood furniture, including, but not limited to, desks, chairs,  
26 tables, bookshelves, benches, playground equipment, and  
27 cabinets.

28 (3) Other wood products.

29 (d) (1) Each request for bids by a state agency or by a school  
30 district for a contract to provide wood materials or wood products  
31 shall state in writing the requirements of this section.



1 (2) Any contractor or vendor that submits a bid on a contract  
2 with a state agency or a school district to provide wood materials  
3 or wood products shall include with that bid both of the following:

4 (A) A statement signed by the contractor or vendor stating that  
5 the contractor or vendor is not knowingly providing the state with  
6 wood materials or wood products derived or manufactured from  
7 an ancient forest tree.

8 (B) Documentation, where available, that demonstrates that  
9 the wood materials or wood products are not derived or  
10 manufactured from an ancient forest tree.

11 (3) Any contractor or vendor that falsifies a statement or  
12 document described in paragraph (2) may not do any business with  
13 the state for a period of five years after the date that the bid was  
14 submitted.

15 (e) This section applies to contracts for purchases that exceed  
16 five thousand dollars (\$5,000).

17 (f) *Notwithstanding any other provision of law, this section*  
18 *does not apply to procurement and purchases of paper products.*

